

CITY OF GLENDALE
5909 North Milwaukee River Parkway
Glendale, Wisconsin 53209

This meeting is in person, but will be broadcast over Zoom

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AGENDA—COMMON COUNCIL MEETING

Monday, June 24, 2024

6:00 p.m.

1. Roll Call and Pledge of Allegiance.
2. Public Comment. Glendale residents, business owners, and property owners are invited to speak to the Council on items that are not on tonight's agenda but are within the City's ability to regulate or control.
3. Consent Agenda:
 - a) Adoption of Minutes: Meeting held on June 10, 2024
 - b) Approval: Monthly Reports
 - c) Approval: 2024 Used Vehicle Dealer's and Secondhand/Pawnbroker's License Applications
 - d) Approval: Compliance Maintenance Annual Report and Glendale Resolution authorizing the filing of the Compliance Maintenance Annual Report with the Wisconsin Department of Natural Resources
4. New Business: (The public may speak to the Council prior to the beginning of deliberations on these items, provided they have notified their respective Alderperson or the Mayor in advance of this meeting).
 - a) Review and Possible Action: Alcohol Beverage License Applications for the period July 1, 2024 through June 30, 2025 as Recommended by the Legislative, Judiciary and Finance Committee
 - b) Review and Possible Action Change Order – with Aqualis in an amount not to exceed \$21,150 for Sanitary Sewer Inspections
 - c) Review and Possible Action: Indenture Agreement – 6430 N. Sunset Lane to Permit a Fence on a City Easement
 - d) Review and Possible Action: Delegate the Responsibility for the Common Council Public Hearing - Zoning Text Amendment Repealing and Replacing Sections 13.1.34 (c) (3), (7), (8), (9), (11), (13), (20) of Title 13 of Article C, creating Article Q, "Drive Thru Regulations" and amending Article P, "Definitions" of the Code of Ordinances of the City of Glendale Pertaining to Drive-Through Regulations
 - e) Review and Possible Action: Resolution – Construction of a City Public Sidewalk in Milwaukee County Right of Way on North Port Washington Road for a Developer at 7575 North Port Washington Road

- f) Review and Possible Action: Resolution – Municipal Construction of a City Public Sidewalk in Milwaukee County Right of Way on North Port Washington Road, South of Good Hope Road
 - g) Review and Possible Action: Resolution –Municipal Construction of a City Public Multi-Use Path in Milwaukee County Right of Way on West Good Hope Road, From the Milwaukee River Parkway to Green Bay Avenue
- 5. Commission, Committee, Board and Staff Reports: (This is an Opportunity for Council Members to Report on their Respective Committees, Commissions, Boards of which they serve as a Member and for Staff and Administrator updates)
- 6. Adjournment.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities.

*The Common Council of Glendale currently holds meetings in person at City Hall, or an alternative physical location as allowed by the City Ordinance. As a courtesy to citizens, Council meetings will also be made available live on the Zoom virtual platform for viewing and possible participation. However, the City cannot guarantee the technology supporting the virtual viewing option will operate perfectly and continuously. The only way to guarantee the ability to offer public comment, or view the meeting uninterrupted, is to appear in person. If the Zoom platform fails, the meeting will continue as scheduled.

3A-3D
6/24/2024

CONSENT AGENDA

- a) [Adoption of Minutes: Meeting held on June 10, 2024](#)
- b) [Approval: Monthly Reports](#)
- c) [Approval: 2024 Used Vehicle Dealer's and Secondhand/Pawnbroker's License Applications](#)
- d) [Approval: Compliance Maintenance Annual Report and Glendale Resolution Authorizing the Filing of the Compliance Maintenance Annual Report with the Wisconsin Department of Natural Resources](#)

SUBJECT: Renewal Alcohol Beverage License Applications for the period July 1, 2024, through June 30, 2025.

FROM: Megan Humitz, City Clerk

MEETING DATE: June 24, 2024

FISCAL SUMMARY:

Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	Chapter 125
Municipal Code:	7.2

BACKGROUND/ANALYSIS:

The State of Wisconsin requires all Alcohol Beverage Licenses be renewed every year prior to July 1. All licenses before the Council have been approved for location, and all background checks have been concluded by the City of Glendale Police Department.

The following applicants currently have unabated issues with the NSFD. If the issues are not corrected by midnight on June 30, 2024, the business will not be allowed to sell alcohol and the Glendale Police Department will enforce this restriction.

Dr. Dawg	6969 N Port Washington Road
Buchanan's	5750 N Bayshore Dr

RECOMMENDATION:

Staff recommends approval of the 2024 Renewal Alcohol Beverage Licenses applications, contingent on all outstanding NSFD issues being abated by June 30, 2024.

ACTION REQUESTED:

Motion to approve the 2024 Renewal Alcohol Beverage Licenses applications as presented.

ATTACHMENTS:

1. [List of Alcohol License Renewal Applicants.](#)
2. [License Type Explanation.](#)

SUBJECT: Change Order 1 for the 2024 Glendale Sanitary Sewer Cleaning and Televising
FROM: Charlie Imig, Director of City Services
MEETING DATE: June 24th, 2024

FISCAL SUMMARY:

Budget Summary:	Capital Improvement
Budgeted Expenditure:	\$500,000
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin Statutes:	N/A
Municipal Code:	N/A

BACKGROUND/ANALYSIS:

The 2024 Capital improvement Plan and the adopted Budget includes \$500,000 for Sanitary Sewer Improvements. A total of \$50,000 is estimated for engineering contract administration, televising review, analysis, and improvement recommendations report.

2024 Sanitary Sewer Cleaning and Televising project was awarded to Aqualis for \$198,750.00 at the June 10, 2024, meeting. That leaves approximately \$250,000 remaining in the 2024 budget. Staff is looking to utilize as a change order to the Sanitary Sewer Cleaning and televising contract.

Change order 1 is an additive change order to include 600 manhole inspections, in the amount of \$21,150. The Purchasing Policy requires Common Council approval for all change orders in excess of \$10,000.

These inspections will be beneficial to the City for future planning of maintenance and repairs required for the sanitary sewer collection system.

RECOMMENDATION:

Staff recommends approving Change Order 1 for the 2024 Sanitary Sewer Cleaning and Televising project in the amount not to exceed \$21,150.

ACTION REQUESTED:

Motion to accept Change Order 1 for the 2024 Sanitary Sewer Cleaning and Televising project for the amount not to exceed \$21,150.

ATTACHMENTS:

1. [Engineer Recommendation Letter](#)
2. [Bid Tab](#)

SUBJECT: Indenture Agreement – 6430 N. Sunset Lane to Permit a Fence on a City Easement
FROM: Charlie Imig
MEETING DATE: June 24, 2024

FISCAL SUMMARY:

Budget Summary:	NA
Budgeted Expenditure:	NA
Budgeted Revenue:	NA

STATUTORY REFERENCE:

Wisconsin Statutes:	NA
Municipal Code:	NA

BACKGROUND/ANALYSIS: The owner of 6430 N. Sunset Lane, the Clovernook subdivision, has requested permission to construct a fence within a City Storm Sewer Easement. That easement, as approved by the City, prohibits the construction of a structure within a City easement. The easement is east/west on the southern portion of the property. The easement document has been attached.

The applicant is requesting permission to construct a fence within the easement. To proceed with, the Common Council must approve the use of an easement for a fence. The proposed agreement places requirements on the applicant, including requiring removal in the event a repair is necessary and any costs associated with the use of the easement is the responsibility of the applicant.

RECOMMENDATION: Consider approval of an indenture for use of a storm sewer easement at 6430 N. Sunset for the construction of a fence. Staff does not have a recommendation; we are presenting this item since was requested by the resident. The construction and placement of this fence will not interfere with any utility.

ACTION REQUESTED: Consider approval of the indenture.

ATTACHMENTS:

1. [Indenture](#)
2. [Plat of Easement](#)

SUBJECT: Zoning Text Amendment to Permit Drive-Through Facilities
FROM: Karl Warwick
MEETING DATE: June 24, 2024

FISCAL SUMMARY:

Budget Summary:	NA
Budgeted Expenditure:	NA
Budgeted Revenue:	NA

STATUTORY REFERENCE:

Wisconsin Statutes:	NA
Municipal Code:	13.1.34

BACKGROUND/ANALYSIS: The majority of business and commercial uses are permitted under different variations of B-1 business and commercial districts located in 13.1.34. Restaurants are listed as a permitted use in the B-1 (B, D-2, E, F-1, G-1, H-1, and M). The Zoning permits restaurants in these zoning districts with seated dining, full waiting service and no drive-through service.

To permit drive-through facilities, the City has typically re-zoned the property to Planned Development and developed an agreement with drive-through facilities to be permitted.

In the past several years, the restaurant industry has been evolving to be more focused on drive-through facilities and to not necessarily have seated areas for customers. The revised zoning text amendment removes these items from being prohibited in the Business uses that allow restaurants. It also includes standards for drive-throughs. In summary, they must:

- a. Be located in a "B-1" business and commercial zoning districts in Article C, "Zoning Districts", be in a zoning district where restaurant are located and must have a minimum of 25 linear feet of frontage on Port Washington Road, south of West Green Tree Road, and north of West Hampton Avenue.
- b. Required to have appropriate staging areas not to negatively impact traffic.
- c. Required to minimize the impact of lighting and sound on adjacent properties
- d. Restricted to the hours between 5:00 a.m. and 10:00 p.m. when the site is contiguous to residentially zoned property.
- e. Required to adhere to other operational requirements
- f. Restricted to a certain number and area of signs.

This item has been referred to the Planning and Architectural Review Commission for a Public Hearing on July 9th. Final approval of the zoning text amendment would require Common Council approval. The City Code requires the Common Council to hold a public hearing for a zoning text amendment.

RECOMMENDATION: Staff is asking the Common Council to waive the Common Council public hearing for this zoning text amendment and to provide feedback on the text amendment prior to the public hearing.

ACTION REQUESTED: Staff is asking the Common Council to waive the Common Council public hearing for this zoning text amendment and to provide feedback on the text amendment prior to the public hearing.

ATTACHMENTS:

1. [Public Hearing Notice](#)
2. [Ordinance – Drive-Through Facilities](#)

SUBJECT: Resolution Authorizing the Construction of a City Public Sidewalk in Milwaukee County
Right of Way on N Port Washington Road (CTH W) from W Calumet Road to a Point ~
200 Feet South

FROM: Karl Warwick, City Administrator

MEETING DATE: June 24th, 2024

FISCAL SUMMARY:

Budget Summary:	NA
Budgeted Expenditure:	NA
Budgeted Revenue:	NA

STATUTORY REFERENCE:

Wisconsin Statutes:	
Municipal Code:	

BACKGROUND/ANALYSIS: On October 4, 2022, the City approved a request from Spring North Corporation d/b/a BP Pantry 41 for a Specific Development Plan in a Planned Development for a proposed gas station and convenience store, 7575 North Port Washington Road, and Development Agreement.

As part of the plans, the developer included a sidewalk along W Calumet Road and on N Port Washington Road. Also, on October 4, 2022, approved as part of the Planned Development Agreement that all City sidewalks and curb cuts are to be installed by Developer at Developer's sole expense.

The North Port Washington Road segment is in Milwaukee County right of way. Subsequently, the County is requiring a Resolution for construction, ownership, and maintenance of said sidewalk on a Milwaukee County Trunk Highway. The enclosed Resolution would permit the installation of a sidewalk by the developer and grant all future maintenance to the developer.

RECOMMENDATION: Adopt the enclosed Resolution.

ACTION REQUESTED: Adopt the enclosed Resolution.

ATTACHMENTS:

1. [Resolution](#)

SUBJECT: Resolution(s) for the Construction of Public Sidewalk on North Port Washington Road and for the Construction of a Multi-Use Path on West Good Hope Road

FROM: Karl Warwick, City Administrator

MEETING DATE: June 24th, 2024

FISCAL SUMMARY:

Budget Summary:	NA
Budgeted Expenditure:	\$585,000
Budgeted Revenue:	NA

STATUTORY REFERENCE:

Wisconsin Statutes:	NA
Municipal Code:	NA

BACKGROUND/ANALYSIS: The City of Glendale has agreed to construct bike and pedestrian improvements in various locations in public right-of-way areas with the remaining \$1.3 million in ARPA Funds. Two of the areas are in the County right-of-way and require the City adopt the enclosed Resolutions that pledge the City of Glendale will fund the improvements and provide all future maintenance. The Resolutions also state that in the event of a roadway reconstruction, the improvement must be reconstructed.

The County has informed the City of Glendale that they plan to reconstruct North Port Washington Road from Good Hope to West Coventry Court. If this occurs and these improvements are disturbed, the County would be required to restore these improvements. If the County receives federal funding for this improvement, Glendale could have these improvements constructed with a 20% local contribution. The timing and certainty of this project is not clear, and it is possible that this does not occur for a long period of time. The County informally stated that they plan to reconstruct this area in the next five to seven years. Constructing this project now guarantees the improvement will be installed at today's costs. Waiting until Port Washington Road is reconstructed could provide this improvement at a 20% local share, however the timing and certainty is unknown. If the City desires to approve this project, this Resolution must be adopted.

The County has also informed us they plan to reconstruct West Good Hope Road from I-43 to I-41 (5.70 miles). The improvement will be carried out in stages and is planned to begin within the next five to seven years. Currently, the County plans to commence this project from Range Line to Green Bay and complete the project in various stages over the following 4 to 5 years. The exact timing and stages are not known because the County has not submitted for the required federal funding (80%). This project is a higher priority for the County than Port Washington and they have already started design engineering, but it was delayed because of the I-43 improvements. The City will be working closely with the County to develop a plan that will hopefully slow down traffic and reduce the roadway footprint from three lanes to two lanes. With this reconstruction it is unlikely that the City's multi-use path on Good Hope would be disturbed. Waiting until Good Hope Road is reconstructed could provide this improvement at a 20% local share. The timing of this improvement is unknown and even if the County began

construction in 5-years, it could be sometime after this that this portion is improved. If the City desires to approve this project, this Resolution must be adopted.

The City has pledged funds to construct a multi-use path on Good Hope Road and a sidewalk on both sides of Porth Washington Road in 2024 using federal ARPA Funds. Adoption of these Resolutions is required to obtain a permit from the County to complete this work. Below is a cost estimate of the originally selected projects. The project on Lydell at the Target property has been eliminated as Bayshore's owner did not agree to provide an easement because the property is for sale. The Civic Drive sidewalk may also be removed because the owner has not been willing to approve an easement necessary to construct the sidewalk.

Location	From	To	Cost	Type	Notes
			Estimate		
Milwaukee Rv. Prkwy.	Sunny Point	Silver Spring	550,000	10 Ft. Asphalt	Within middle parkway
Civic Drive	Green Bay	Existing Ped.	190,000	5 Ft. Sidewalk	South Side of Civic
Good Hope	Milwaukee Rv. Prkwy.	Green Bay	475,000	10 Ft. Asphalt	South Side of Street
Green Tree	Melissa Court	Crestwood	140,000	5 Ft. Sidewalk	South Side of Street
Lydell	Target Property		30,000	5 Ft. Sidewalk	Grass area behind curb
Lydell	Henry Clay	Marne	110,000	5 Ft. Sidewalk	West Side, Intermittent Infill
Port Washington	Green Tree	Sugar Lane	35,000	5 Ft. Sidewalk	West Side
Port Washington	Hampton Inn	Good Hope	75,000	5 Ft. Sidewalk	East Side
BASE BID ESTIMATE			1,605,000		

RECOMMENDATION: Adopt the enclosed Resolutions to permit the construction of the improvements listed in the enclosed Resolution.

ACTION REQUESTED: Adopt the enclosed Resolutions.

ATTACHMENTS:

1. [Resolution for Improvements to North Post Washington Road](#)
2. [Resolution for Improvements to West Good Hope Road](#)